REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided generally to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art. Claims 1-44, 46-51 and 53-61 are pending in the present application. Claims 1-44, 46-51 and 53-61 are rejected. Claims 1, 5, 18, 20-21, 23-29, 31-32, 57-58 have been amended. Claims 7-8, 17, 30, 41-56, 59, and 61 have been canceled. No new matter has been added.

35 U.S.C. §102(b) Rejections

The Examiner has rejected claims 1-3, 5, 7, 9-17, 19-20, 22, 23, 26-44, 46-50, 53 and 56-59 under 35 U.S.C. §102(b) as being anticipated by Rossides (U.S. Patent No. 6,131,085). Applicant respectfully disagrees.

Applicant respectfully submits that Rossides does not anticipate Applicant's independent claims 1, 26, 41, 57, 58, and 59 since Rossides does not disclose each and every element of the independent claims.

Rossides does not disclose the limitation, as claimed by applicant, of providing to a user **a list of recorded communications, the communications recorded prior to a user generated request, the list including a rate per period of time to access a recorded communications,** *and the list including a user selectable link for the respective recorded communications, which when selected causes a central controller to facilitate establishing a connection with the user to provide the selected recorded communication to the user.* (See Applicant's claims 1, 26, 41, and 57-59)

Rather, the system of Rossides outputs **an** answer in response to a question asked by a user, provided that the answer is in the database. Additionally, Rossides outputs one answer associated with the question asked rather than providing a list of recorded communications recorded prior to the user generated request.

Further, Applicant's independent claim include the limitation, or limitation similar thereto, of:

> "***to record information in real time*** *as the information is being articulated by the information provider over the first communications connection" (Claim 1, emphasis added)*

Applicant respectfully submits that Rossides does not discuss "**to record information in real time** as the information is being articulated by the information provider", as claimed by Applicant.

For example, in Rossides,

> "Answers, even long ones, can be entered voice ***if the system has voice recognition functions***. An answer can be confirmed by the user or 'cleaned up' at a later time." (Rossides, Col. 238 lines 50-52).

As shown, Rossides' system requires voice recognition functions to process voice inputs . Thus, in Rossides' system, **voice is converted into textual data** via voice recognition functions. Since the voice input is converted into text via voice recognition, voice is not being recorded "in real time as the information is being articulated" by the information provider, as claimed by Applicant. Rather, the voice input of Rossides is recorded in textual form.

Since Applicant's independent claims 1, 26, 41, 57, 58, and 59 have claim limitations that are not disclosed in, nor suggested by the cited reference, Applicant's independent claims are patentable over the cited references at least for the above stated reasons. Applicant's remaining claims depend from one of the foregoing independent claims and therefore incorporate the distinguishing limitations of the foregoing independent claims. Therefore, the remaining dependent claims are also patentable over the cited references. Thus the withdrawal of the rejections under 35 U.S.C. §102(b) is respectfully requested.

35 U.S.C. §103 Rejections

The Examiner has rejected claims 4 and 6 under 35 U.S.C. 103(a) as being unpatentable over Rossides. Applicant respectfully disagrees.

The Official Notice was taken for the additional limitations recited in the dependent claims. However, citation of the Official Notice does not show the corresponding limitations discussed above for the independent claims. Thus, the Official Notice cannot be used in addition to Rossides to show each and every aspect of the pending claims. Since the cited reference does not show each and every aspects of the independent claims 1, 26, 41, 57, 58 and 59, the dependent claims of these independent claims are also patentable over the cited references, at least for the above discussed reasons.

The Examiner has rejected claims 8, 18, 21, 24, 25, 51, 54, and 55 under 35 U.S.C. 103(a) as being unpatentable over Rossides (US Patent No. 6,131,085) in view of Yokono et al (Hereinafter Yokono) US 2002/0029241. Applicant respectfully disagrees.

Yokono was cited for the additional limitations recited in the dependent claims. Yokono does not show the corresponding limitations discussed above for the independent claims. Thus, when viewed together, Rossides and Yokono do not show each and every aspect of the pending claims.

Since the cited references do not show each and every aspect of the independent claims 1, 26, 41, 57, 58 and 59, the dependent claims of these independent claims are also patentable over the cited references, at least for the above discussed reasons. The withdrawal of the rejections is respectfully requested for the pending claims.

Condition for Allowance

The applicants submit that the present application is now in condition for allowance. The Examiner is invited to contact applicants' attorney John P. Ward, via telephone at (650) 328-8500, if it would further the allowance of the present application. The applicants further submit that no new matter has been added.

Please charge any fees deficiencies or credit any overpayments to our Deposit Account No. 50-2638.

Respectfully submitted,

Date: May 7, 2007

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